

UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF VERMONT

DAVID P. DEMAREST, an individual,)
PLAINTIFF)

v.)

CASE NO. 2:21-cv-00167-wks

TOWN OF UNDERHILL, a municipality)
and charter town, SELECTBOARD CHAIR)
DANIEL STEINABAUER, as an)
individual and in official capacity, et. al.)

STIPULATED MOTION TO STAY
FILING OF STIPULATED DISCOVERY SCHEDULE

The parties, by and through their respective attorneys of record, hereby respectfully move the Court pursuant Local Rule 26(a)(3) to stay the filing of a Stipulated Discovery Schedule until thirty (30) days after the Court issues its ruling in the pending Motions to Dismiss.

The parties agree that a stay of the filing of a Stipulated Discovery Schedule would “help to secure the just, speedy, and inexpensive determination of the action,” L.R. 26(a)(3), in that the parties would not need to contend with expiring discovery deadlines while the parties await this Court’s rulings on the pending Motions to Dismiss. Allowing the stay will also permit the parties to incorporate the Court’s guidance in creating an appropriate and realistic discovery schedule.

The parties do not ask that discovery be stayed, only that the filing of the Stipulated Discovery Schedule be stayed. Specifically, the parties respectfully request the Court stay the filing of the Stipulated Discovery Schedule until thirty (30) days after the Court issues its ruling in the pending Motions to Dismiss.

Counsel for the Municipal Defendants has been authorized by all the parties, including Plaintiff, to indicate the parties' consent to the requested relief and to apply their signatures to this Motion.

Respectfully submitted this 25th day of January, 2022.

CARROLL, BOE, PELL & KITE, P.C.

BY: 

James F. Carroll, Esquire
Kevin L. Kite, Esquire
64 Court Street, Middlebury, VT 05753
(802) 388-6711
jcarroll@64court.com
kkite@64court.com

Attorneys for Municipal Defendants

RYAN SMITH & CARBINE, LTD.

BY:  FOR

William A. O'Rourke III, Esq.
John A. Serafino, Esq.
P.O. Box 310
Rutland, VT 05702-0310
(802) 786-1000
wor@rsclaw.com

Attorneys for Front Porch Forum, Inc.

STACKPOLE & FRENCH LAW OFFICES

BY:  FOR

Elizabeth A. Conolly, Esq.
P.O. Box 819
Stowe, VT 05672
(802) 253-7339
econolly@stackpolefrench.com

Attorneys for Jericho Underhill Land Trust

CARROLL, BOE,
PELL & KITE, P.C.
64 COURT STREET
MIDDLEBURY, VT 05753
(802) 388-6711
Fax 388-2111

PLAINTIFF

 FOR

David P. Demarest, *Pro Se*
P.O. Box 144
Underhill, VT 05489
(802) 363-9962
David@vermontmushrooms.com

CARROLL, BOE,
PELL & KITE, P.C.
64 COURT STREET
MIDDLEBURY, VT 05753
(802) 388-6711
Fax 388-2111